



## **United States Mission to the OSCE**

### **Kazakhstan: Statement on Verdict in Duvanov Trial**

As delivered by Chargé d'Affaires Douglas A. Davidson  
to the Permanent Council, Vienna  
January 30, 2003

Thank you, Mr. Chairman.

The United States is concerned about due process during the trial of Kazakhstani journalist Sergey Duvanov, whose case has in the past been raised by many of us around this table in the Permanent Council.

Diplomats from the Embassy of the United States, as well as from the OSCE and EU missions attended the entire three-week trial, which was closed to the public.

The defense team complained that procedural violations under Kazakhstani law took place regarding the presumption of innocence, false testimony, access to their client, and lack of time to prepare their case. In fact, the judge's verdict recognized that procedural violations had occurred.

If Mr. Duvanov decides to appeal the verdict, we hope that due process will be strictly followed in accordance with Kazak law and international standards of justice, and that the allegations of procedural violations in the first trial will be addressed.

We also remain concerned about the chilling effect this may have on freedom of the media in Kazakhstan. In recent months, there has been what appears to be a pattern of harassment of Kazakhstan's independent media.

In closing, Mr. Chairman, I should like to express my appreciation to ODIHR's Acting Director, Steve Wagenseil, for paying close attention to this issue, and for visiting Mr. Duvanov on his recent trip to Kazakhstan. Like Mr. Wagenseil, we also hope that Mr. Duvanov will be treated properly and guaranteed proper medical treatment while in custody, given reports of his deteriorating health.

I thank you.